

STATEMENT OF PURPOSE

RS 18274C1

The purpose of this bill is to move the Idaho Commission for Libraries from the Office of the State Board of Education to the Department of Self-Governing Agencies, where the Commission will operate under its own Board of Trustees. The bill provides for the appointment of Commissioners, establishes terms and geographic representation requirements, and permits the Governor to remove a board member for cause. The Board of Trustees is accountable for the agency's operation.

FISCAL NOTE

There is no fiscal impact to the General Fund

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LEGISLATURE OF THE STATE OF IDAHO



Sixtieth Legislature

First Regular Session - 2009

IN THE \_\_\_\_\_

BILL NO. \_\_\_\_\_

BY \_\_\_\_\_

AN ACT

RELATING TO THE COMMISSION FOR LIBRARIES; AMENDING SECTION 67-2601, IDAHO CODE, TO PROVIDE THAT THE BOARD OF LIBRARY COMMISSIONERS IS WITHIN THE DEPARTMENT OF SELF-GOVERNING AGENCIES AND TO PROVIDE CORRECT TERMINOLOGY; AND AMENDING SECTION 33-2502, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE APPOINTMENT, REMOVAL AND TERMS OF THE BOARD OF LIBRARY COMMISSIONERS AND TO REVISE TERMINOLOGY.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 67-2601, Idaho Code, be, and the same is hereby amended to read as follows:

67-2601. DEPARTMENT CREATED – ORGANIZATION – DIRECTOR – BUREAU OF OCCUPATIONAL LICENSES CREATED. (1) There is hereby created the department of self-governing agencies. The department shall, for the purposes of section 20, article IV of the constitution of the state of Idaho, be an executive department of the state government.

(2) The department shall consist of the following:

(a) Agricultural commodity commissions: Idaho apple commission, as provided by chapter 36, title 22, Idaho Code; Idaho bean commission, as provided by chapter 29, title 22, Idaho Code; Idaho beef council, as provided by chapter 29, title 25, Idaho Code; Idaho cherry commission, as provided by chapter 37, title 22, Idaho Code; Idaho dairy products commission, as provided by chapter 31, title 25, Idaho Code; Idaho pea and lentil commission, as provided by chapter 35, title 22, Idaho Code; Idaho potato commission, as provided by chapter 12, title 22, Idaho Code; the Idaho wheat commission, as provided by chapter 33, title 22, Idaho Code; and the Idaho aquaculture commission, as provided by chapter 44, title 22, Idaho Code.

(b) Professional and occupational licensing boards: Idaho state board of certified public accountancy, as provided by chapter 2, title 54, Idaho Code; board of acupuncture, as provided by chapter 47, title 54, Idaho Code; board of architectural examiners, as provided by chapter 3, title 54, Idaho Code; office of the state athletic director, as provided by chapter 4, title 54, Idaho Code; board of barber examiners, as provided by chapter 5, title 54, Idaho Code; board of commissioners of the Idaho state bar, as provided by chapter 4, title 3, Idaho Code; board of chiropractic physicians, as provided by chapter 7, title 54, Idaho Code; Idaho board of cosmetology, as provided by chapter 8, title 54, Idaho Code; Idaho counselor licensing board, as provided by chapter 34, title 54, Idaho Code; state board of dentistry, as provided by chapter 9, title 54, Idaho Code; state board of dentistry, as provided by chapter 33, title 54, Idaho Code; state board of engineering examiners, as provided by chapter 12, title 54, Idaho Code; state board for registration of professional geologists, as provided by chapter 28, title 54, Idaho Code;

1 speech and hearing services licensure board, as provided by chapter 29, title 54, Idaho  
 2 Code; Idaho physical therapy licensure board, as provided by chapter 22, title 54, Idaho  
 3 Code; Idaho state board of landscape architects, as provided by chapter 30, title 54,  
 4 Idaho Code; liquefied petroleum gas safety board, as provided by chapter 53, title 54,  
 5 Idaho Code; state board of medicine, as provided by chapter 18, title 54, Idaho Code;  
 6 state board of morticians, as provided by chapter 11, title 54, Idaho Code; board of  
 7 naturopathic medical examiners, as provided by chapter 51, title 54, Idaho Code; board  
 8 of nurses, as provided by chapter 14, title 54, Idaho Code; board of examiners of nursing  
 9 home administrators, as provided by chapter 16, title 54, Idaho Code; state board of  
 10 optometry, as provided by chapter 15, title 54, Idaho Code; Idaho outfitters and guides  
 11 board, as provided by chapter 21, title 36, Idaho Code; board of pharmacy, as provided by  
 12 chapter 17, title 54, Idaho Code; state board of podiatry, as provided by chapter 6, title  
 13 54, Idaho Code; Idaho state board of psychologist examiners, as provided by chapter 23,  
 14 title 54, Idaho Code; Idaho real estate commission, as provided by chapter 20, title 54,  
 15 Idaho Code; real estate appraiser board, as provided by chapter 41, title 54, Idaho Code;  
 16 board of social work examiners, as provided by chapter 32, title 54, Idaho Code; the  
 17 board of veterinary medicine, as provided by chapter 21, title 54, Idaho Code; the board  
 18 of examiners of residential care facility administrators, as provided by chapter 42, title 54,  
 19 Idaho Code; and the board of drinking water and wastewater professionals, as provided  
 20 by chapter 24, title 54, Idaho Code.

21 (c) The board of examiners, pursuant to section 67-2001, Idaho Code.

22 (d) The division of building safety: building code board, chapter 41, title 39, Idaho  
 23 Code; manufactured ~~home advisory~~ housing board, chapter 21, title 44, Idaho Code;  
 24 electrical board, chapter 10, title 54, Idaho Code; public works contractors license board,  
 25 chapter 19, title 54, Idaho Code; plumbing board, chapter 26, title 54, Idaho Code; public  
 26 works construction management, chapter 45, title 54, Idaho Code; the heating, ventilation  
 27 and air conditioning board, chapter 50, title 54, Idaho Code; and modular buildings  
 28 advisory board, chapter 43, title 39, Idaho Code.

29 (e) The division of veterans services to be headed by a division administrator who shall  
 30 be a nonclassified employee exempt from the provisions of chapter 53, title 67, Idaho  
 31 Code. The administrator of the division shall administer the provisions of chapter 2, title  
 32 65, Idaho Code, and chapter 9, title 66, Idaho Code, with the advice of the veterans affairs  
 33 commission established under chapter 2, title 65, Idaho Code, and shall perform such  
 34 additional duties as are imposed upon him by law.

35 (f) The board of library commissioners, pursuant to section 33-2502, Idaho Code.

36 (3) The bureau of occupational licenses is hereby created within the department of  
 37 self-governing agencies.

38 SECTION 2. That Section 33-2502, Idaho Code, be, and the same is hereby amended to  
 39 read as follows:

40 33-2502. BOARD OF LIBRARY COMMISSIONERS – MEMBERSHIP  
 41 APPOINTMENT, REMOVAL AND TERMS – OFFICERS – MEETINGS –  
 42 COMPENSATION. ~~The Idaho commission for libraries shall be governed by the board of~~  
 43 ~~library commissioners.~~ The board of library commissioners shall, for the purposes of section  
 44 20, article IV of the constitution of the state of Idaho, be maintained within the ~~office of~~  
 45 ~~the state board of education~~ department of self-governing agencies and shall consist of five

1 (5) commissioners appointed by the ~~state board of education~~ governor. The board shall  
2 nominate to the governor qualified candidates to fill any board vacancy. The governor shall  
3 consider geographic representation when selecting board commissioners by appointing one  
4 (1) board commissioner from the northern part of the state, one (1) board commissioner from  
5 the eastern part of the state, one (1) board commissioner from the southwestern part of the  
6 state and one (1) board commissioner from each of the two (2) congressional districts. ~~The~~  
7 ~~state board of education shall annually appoint one (1) commissioner for a term of five (5)~~  
8 ~~years~~ Appointments are for five (5) year terms and commissioners may serve more than one  
9 (1) term. At the end of a term, the commissioner shall continue to serve until a successor is  
10 appointed and qualifies. A vacancy on the board of library commissioners shall be filled in the  
11 same manner as regular appointments and shall be for the unexpired portion of the term. The  
12 governor may remove board commissioners for cause including, but not limited to, frequent  
13 absences from board meetings. The board of library commissioners shall annually elect a  
14 chairman, vice chairman and other officers as it deems reasonably necessary. The board of  
15 library commissioners shall meet at least twice each year. Commissioners shall be compensated  
16 as provided by section 59-509(n), Idaho Code.